

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE VIVENDI UNIVERSAL, S.A. SECURITIES
LITIGATION

This Memorandum of Law relates to:

ALL ACTIONS CONSOLIDATED
WITH IN RE VIVENDI UNIVERSAL, S.A.
SECURITIES LITIGATION

02 Civ. 5571 (RJH/HBP)
ECF CASE

**NOTICE OF MOTION OF DEFENDANTS FOR
PARTIAL SUMMARY JUDGMENT AGAINST ALL PLAINTIFFS**

PLEASE TAKE NOTICE that, upon the Memorandum of Law dated August 15, 2008, the Declaration of Jessica R. Buturla, executed on August 15, 2008, with exhibits thereto, the Statement Pursuant to Civil Rule 56.1 and all prior pleadings and proceedings herein, Defendants Vivendi, S.A., Universal Studios, Inc., Jean-Marie Messier and Guillaume Hannezo hereby move this Court, before Judge Richard J. Holwell, at the Courthouse, 500 Pearl Street, New York, New York, for partial summary judgment pursuant to Fed. R. Civ. P. on certain claims brought by the above-captioned Plaintiffs under Sections 11 and 12(a)(2) of the Securities Act of 1933, Section 10(b) of the Securities and Exchange Act of 1934, and Rule 10b-5 promulgated thereunder, Section 18 of the Securities and Exchange Act of 1934, as well as claims for common law fraud and negligent misrepresentation, as set forth in more detail in the

accompanying memorandum of law; and granting such other and further relief as the Court deems just and proper.

August 15, 2008.

CRAVATH, SWAINE & MOORE LLP,

by

Paul C. Saunders

Paul C. Saunders

Daniel Slifkin

Timothy G. Cameron

Members of the Firm

Worldwide Plaza
825 Eighth Avenue
New York, NY 10019
(212) 474-1000
psaunders@cravath.com

*Attorneys for Defendants Vivendi, S.A.
and Universal Studios, Inc.*

WEIL GOTSHAL & MANGES LLP

James W. Quinn
Jonathan D. Polkes
Penny P. Reid

767 Fifth Avenue
New York, NY 10153
(212) 310-8000
james.quinn@weil.com

*Attorneys for Defendants Vivendi, S.A.
and Universal Studios, Inc.*

KING & SPALDING LLP

Michael J. Malone
Paul A. Straus
Lisa Albert

1185 Avenue of the Americas
New York, NY 10036
(212) 556-2136
pstraus@kslaw.com

*Attorneys for Defendant Jean-Marie
Messier*

SCHULTE ROTH & ZABEL LLP

Martin L. Perschetz
Michael E. Schwartz
Einat Philip

919 Third Avenue
New York, NY 10022
(212) 756-2247
martin.perschetz@srz.com

*Attorneys for Defendant Guillaume
Hannezo*

TO:

Michael Gluck, Esq.
Michael C. Spencer, Esq.
Milberg Weiss LLP
One Pennsylvania Plaza, 49th Floor
New York, NY 10119

Co-lead Counsel for Class Action Plaintiffs in No. 02 Civ. 5571

Stephen T. Rodd, Esq.
Richard B. Margolies, Esq.
Abbey Spanier Rodd & Abrams, LLP
212 East 39th Street
New York, NY 10016

Co-lead Counsel for Class Action Plaintiffs in No. 02 Civ. 5571

Brian C. Kerr, Esq.
Dreier LLP
499 Park Avenue
New York, NY 10022

Attorney for Class Action Plaintiff and Class Representative Miami Beach in No. 02 Civ. 5571

Paul F. Enzinna, Esq.
Baker Botts LLP
1299 Pennsylvania Avenue, N.W.
Washington, DC 20004

Attorneys for Liberty Media Plaintiffs in No. 03 Civ. 2175

Vincent R. Cappucci, Esq.
Entwistle & Cappucci LLP
280 Park Avenue
26th Floor West
New York, NY 10017

Attorneys for Plaintiff GAMCO Investors, Inc. in No. 03 Civ. 5911

Diane Zilka, Esq.
Grant & Eisenhofer P.A.
Chase Manhattan Centre
1201 North Market Street
Wilmington, DE 19801

Attorneys for Individual Plaintiffs in Nos. 07 Civ. 7370, 07 Civ. 7779, 07 Civ. 7778, 07 Civ. 7776, 07 Civ. 7775, 07 Civ. 7803, 07 Civ. 7863, 07 Civ. 8208, 07 Civ. 953, 07 Civ. 11485, 08 Civ. 0024, 08 Civ. 0116, 08 Civ. 0117, 08 Civ. 1938, 08 Civ. 01985

Anthony J. Harwood, Esq.
Labaton Sucharow LLP
140 Broadway
New York, NY 10005

Attorneys for Individual Plaintiffs in Nos. 07 Civ. 5742, 07 Civ. 10995, 07 Civ. 11305, 07 Civ. 11483, 07 Civ. 11484, 08 Civ. 0418

Michael Elsner, Esq.
Motley Rice LLC
28 Bridgeside Boulevard
Mount Pleasant, SC 29464

Attorneys for Individual Plaintiffs in Nos. 07 Civ. 8830, 07 Civ. 10578, 07 Civ. 10954, 07 Civ. 11628, 08 Civ. 0950, 08 Civ. 1111, 08 Civ. 01983

Stuart L. Berman, Esq.
Schiffrrin Barroway Topaz & Kessler, LLP
280 King of Prussia Road
Radnor, PA 19087

Attorneys for Individual Plaintiffs in Nos. 07 Civ. 8156, 07 Civ. 9929, 07 Civ. 11092, 08 Civ. 1973, 08 Civ. 1974, 08 Civ. 1975